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Serial No. 10/797,438

REMARKSI. Introduction

In response to the Office Action dated November 6, 2006, claim 45 was amended. Claims 39-58 remain in the application. Re-examination and re-consideration of the application, as amended, is requested.

II. Examiner Interview

Reference is hereby made to a telephone interview between the Applicant's attorney Victor G. Cooper and Examiner Angelica Perez on February 5, 2007. Mr. Cooper thanks Examiner Perez for the courtesies extended in this interview.

The appropriateness of the statutory double patenting rejection versus an obviousness-type double patenting rejection was discussed. It was agreed that while an obviousness double patenting rejection, a statutory double patenting rejection was not. However, because a further search may be required before allowing the claims, the Examiner requested that the Applicants reply in written form, as we do in this communication.

III. Claim Amendments

Claim 45 was amended for clarification purposes and to correct an error. This amendment was not required for purposes of substantive patentability.

IV. Double Patenting

In paragraphs (2)-(3), the Office Action rejects claims 39-58 under 35 U.S.C. §101 as claiming the same invention as that of claims 11, 16-17, and 21-23 of prior U.S. Patent No. 6,741,834 B1. This is a statutory double patenting rejection.

A statutory double patenting rejection requires that the subject matter of the claims of the instant application be identical to that of the issued claims. MPEP § 804. A review of the claims of the instant application reveals that this is not the case.

Accordingly, if a double patenting rejection is appropriate at all, it would appear that that it would be an obviousness type double patenting would be more appropriate. Should such a rejection

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be made, the Applicants will evaluate the rejection and file a terminal disclaimer if necessary to moot this rejection.

V. Non Art Rejection

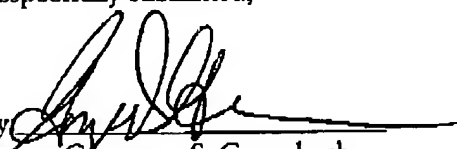
In paragraph (1), the Office Action rejects claim 45 because there is insufficient antecedent basis for the "multiplexer". The Applicants thank the Examiner for noting this error, and have amended the claim accordingly.

VI. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's undersigned attorney.

Respectfully submitted,

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